REMARKS

Entry of these amendments, prior to examination, is respectfully requested. The claims of the International application as published are amended herein, in accordance with amendments entered during the International phase. The claims are also amended in order to substitute "wherein" for "characterized in that," in accordance with U.S. practice, and also to reduce additional claims fees by eliminating multiple claim dependencies.

A marked-up version of the claims, which indicates all amendments made, is submitted herewith.

None of the amendments introduce new matter.

An early and favorable examination is earnestly solicited.

Respectfully submitted,

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EXPRESS MAIL CERTIFICATE
Date 6/25/01 Label No. EL 706743677US
I hereby certify that, on the date indicated this paper or fee was deposited with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner of Patents & Trademarks, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

B Peck
Name (Print)

Signature

File No: 7238/0J504US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Leendert KOENDERMAN

Serial No: TBA (U.S. National Phase of PCT/NL99/00806 filed 24 December 1999)

Filed: Concurrently Herewith

For: **DETECTION OF PREACTIVATED PHAGOCYTES**

MARK-UP OF PRELIMINARY AMENDMENT

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231
Attn.: Box PCT, RO/US

IN THE CLAIMS

Please amend the claims to read as follows:

1. (Amended) Antigen of a phagocyte, [**characterized** in that] wherein the antigen may be recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482.

2. (Amended) Phagocyte-recognizing agent, [**characterized** in that] wherein the phagocyte-recognizing agent recognizes the agent that is recognized by at least one

bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482.

3. (Amended) Phagocyte-recognizing agent according to claim 2, [**characterized** in that] wherein it possesses a group having a phagocyte-deactivating activity.

4. (Amended) Pharmaceutical composition comprising a phagocyte-recognizing agent capable of recognizing the antigen that is recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482 together with a pharmaceutically acceptable excipient or carrier.

5. (Amended) Method of detecting a preactivated phagocyte, [**characterized** in that] wherein a phagocyte-recognizing agent capable of recognizing the antigen that is recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482 is contacted with a phagocyte, and a complex formed between the phagocyte-recognizing agent and the phagocyte is detected.

6. (Amended) Method according to claim 5, [**characterized** in that] wherein the agent is capable of competing with at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482, and a complex between the phagocyte-recognizing agent and the phagocyte is detected.

7. (Amended) Method according to claim 6, [**characterized** in that] wherein the agent is a bacteriophage.

8. (Amended) Method according to claim 6 [or 7], [**characterized** in that] wherein the agent is a fluorescent agent.

9. (Amended) Method according to claim 8, [**characterized** in that] wherein the agent comprises Green or Blue Fluorescent Protein.

10. (Amended) Method according to claim 8 [or 9], [**characterized** in that] wherein detection is performed by means of a Fluorescence-Activated Cell Sorter (FACS).

11. (Amended) Method according to [any of the claims 5 to 7] claim 5, [**characterized** in that] wherein the detection is performed by means of an ELISA.

12. (Amended) Method according to [any of the claims 5 tot 11] claim 5, [**characterized** in that] wherein the phagocyte is derived from a person of which it is thought that it suffers from an affection chosen from the group consisting of i) organ-bound inflammatory diseases; ii) septic shock; iii) allergies; and iv) auto-immune diseases; or of a person having undergone a transplantation.

13. (Amended) Method according to claim 12, [**characterized** in that] wherein for detection blood from a person is lysed using an isotonic, cold NH_4C1-solution yielding a phagocyte-containing solution.